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### *Class Counsel*

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

ABANTE ROOTER AND PLUMBING,  
INC., MARK HANKINS, and PHILIP J.  
CHARVAT, individually and on behalf of all  
others similarly situated,

**Plaintiffs,**

V.

ALARM.COM INCORPORATED, and  
ALARM.COM HOLDINGS, INC.,

## Defendants.

NO. 4:15-cv-06314-YGR

**DECLARATION OF CARLA A. PEAK  
ON IMPLEMENTATION OF  
SETTLEMENT NOTICE PLAN**

**JURY TRIAL DEMAND**

Complaint Filed: December 30, 2015

Honorable Yvonne Gonzalez Rogers

DATE: August 13, 2019  
TIME: 2:00 p.m.  
LOCATION: Oakland Courthouse  
Courtroom 1 - 4th Floor

1 I, Carla A. Peak, declare as follows:

2 1. I have personal knowledge of the matters set forth herein, and I believe them to be  
 3 true and correct. I am Vice President of Legal Notification Services at KCC, LLC (“KCC”), the  
 4 Settlement Administrator in this action.

5 2. KCC was chosen by the parties and approved by the Court to design and  
 6 implement the notice program (the “Notice Plan”) and notice documents (the “Notices”) to  
 7 inform class members about their rights and options under the class action settlement (the  
 8 “Settlement”). Details about the Notice Plan, along with our experience and credentials, were  
 9 included with my prior declarations, Declaration of Carla A. Peak in Support of Notice Plan  
 10 (Dkt. #280) and Supplemental Declaration of Carla A. Peak in Support of Notice Plan (Dkt.  
 11 #288).

12 3. With the support of KCC’s claims administration and media teams, each element  
 13 of the Court-approved Notice Plan has been implemented.

14 a) The media portion of the Notice Plan reached at least 74% of likely  
 15 Settlement Class Members on average 2.2 times each via the consumer magazine  
 16 and internet efforts alone.<sup>1</sup> The mailed and emailed Notices were successfully  
 17 delivered to approximately 84.5% of the identified Settlement Class Members.

18 b) All of the Court-approved Notices were designed to be noticeable, clear,  
 19 simple, substantive, and informative, and complied with the requirements for

20  
 21  
 22  
 23  
 24  
 25 <sup>1</sup> The reach or net reach of a notice program is defined as the percentage of a class that was  
 26 exposed to a notice net of any duplication among people who may have been exposed more than  
 27 once. The average “frequency” of notice exposure is the average number of times that those  
 reached by a notice would be exposed to a notice.

1 notices outlined in the Northern District of California's Procedural Guidance for  
 2 Class Action Settlements

3 c) The Notices were disseminated by February 15, 2019, ensuring that each  
 4 person reached had adequate time prior to the final approval hearing to make  
 5 appropriate decisions, such as whether to object or opt out.

6 d) The Notice Plan fairly and adequately covered the Settlement Class  
 7 without excluding any demographic group or geographic area.

8 e) The Notice Plan was consistent with other court-approved notice programs  
 9 that KCC has designed and implemented for purposes of settlement.

10 4. After the Court granted preliminary approval of the Settlement, KCC began  
 11 implementing the Notice Plan. This declaration provides relevant details and "proofs of  
 12 performance" of the media activities undertaken.

13  
 14 **NOTICE PLAN IMPLEMENTATION**

15 *Data Preparation*

16 5. After preliminary approval was granted, KCC merged all of the data received  
 17 from Plaintiffs' Counsel into one comprehensive database. KCC then de-duplicated the database  
 18 to ensure, as best as possible, that each unique telephone number appeared on the list a single  
 19 time. Where duplicate telephone numbers appeared in the database with matching email  
 20 addresses, the duplicate telephone number was removed. Where duplicate telephone numbers  
 21 appeared in the database with unique email addresses, the duplicate telephone number was  
 22 retained. In total, after removing clear duplicates, the Notice List contained 1,215,993 Settlement  
 23 Class Member phone numbers. After de-duplication, KCC performed a reverse directory search  
 24 using the phone numbers provided in the database that did not contain an associated postal  
 25 address.

6. Where the initial search did not return a result, KCC used both a secondary and tertiary reverse directory data vendor to increase the number of search results.

7. Upon completion of the above-referenced searches, KCC updated the database and created an identified class member “Notice List” using the information obtained. KCC then de-duplicated and reviewed the entire identified class member Notice List to ensure a single summary notice was emailed or a mailed, except as discussed below. In total from all sources, KCC was able to identify addresses and/or email addresses for 1,183,991 identified Settlement Class Members.

8. Prior to finalizing the class list, KCC performed a “list cleanse” analysis on the available email addresses to identify addresses that would be undeliverable and/or jeopardize the overall deliverability of the email campaign due to being identified as known fraudulent or invalid addresses, retaining only addresses with a likelihood of being deliverable. After performing this analysis, 197,406 email addresses were identified that were expected to be deliverable or potentially deliverable.

### *Individual Notice*

9. On February 15, 2019, KCC sent the summary notice via email (the “Email Notice”) to 197,406 emails on the Notice List.

10. As of February 22, 2019, KCC received data indicating that 128,388 Email Notices were successfully delivered.

11. In addition, on February 15, 2019 KCC sent the summary notice via USPS (“Postcard Notice”) to all identified Settlement Class Members with a known physical address, including those for whom an email address was available in the Notice List. KCC sent the Postcard Notice to 1,183,991 physical addresses on the Notice List.

1       12. Prior to mailing, the addresses were checked against the National Change of  
 2 Address (NCOA)<sup>2</sup> database maintained by USPS; certified via the Coding Accuracy Support  
 3 System (CASS);<sup>3</sup> and verified through Delivery Point Validation (DPV).<sup>4</sup>

4       13. Notices returned by USPS as undeliverable were re-mailed to any address  
 5 available through postal service forwarding order information. For any returned mailing that did  
 6 not contain an expired forwarding order with a new address indicated, KCC conducted further  
 7 address searches using credit and other public source databases to attempt to locate new  
 8 addresses. When new addresses were located, KCC re-mailed the Postcard Notices to the new  
 9 addresses.

10      14. As of June 14, 2019, KCC received 256,934 Postcard Notices were returned as  
 11 undeliverable. Of these, 71,966 were re-mailed to a different address as provided by expired  
 12 postal forwarding information or to an address that resulted from further search. In total,  
 13 1,002,004 Postcard Notices are considered to have been successfully delivered.

14      15. In total, 1,027,192 Email and Postcard Notices were successfully delivered,  
 15 representing approximately 84.5% of the identified Settlement Class Members.

16      16. A copy of the Email Notice is attached as **Exhibit A**. A copy of the Postcard  
 17 Notice is attached as **Exhibit B**.

18      17. In March 2019, reminder notices were sent to all identified Settlement Class  
 19 Members who had not yet filed a claim and for whom an email address was available. KCC sent  
 20 a total of 127,484 Reminder Notices. A copy of the Reminder Notice is attached as **Exhibit C**.

22      <sup>2</sup> The NCOA database contains records of all permanent change of address submissions received  
 23 by the USPS for the last four years. The USPS makes this data available to mailing firms and  
 24 lists submitted to it are automatically updated with any reported move based on a comparison  
 25 with the person's name and last known address.

26      <sup>3</sup> Coding Accuracy Support System is a certification system used by the USPS to ensure the  
 27 quality of ZIP+4 coding systems.

26      <sup>4</sup> Records that are ZIP+4 coded are then sent through Delivery Point Validation to verify the  
 27 address and identify Commercial Mail Receiving Agencies. DPV verifies the accuracy of  
 28 addresses and reports exactly what is wrong with incorrect addresses.

## *Consumer Publications*

18. A third-page summary notice (“Publication Notice”) appeared in the national print editions and online digital replicas of the consumer publications on the dates and pages indicated below:

Publication	Issue Date <sup>5</sup>	On-Sale Date <sup>6</sup>	Page #
<i>Better Homes &amp; Gardens</i>	April 2019	March 15, 2019	128
<i>People</i>	March 4, 2019	February 22, 2019	50

19. The *Better Homes & Gardens* Publication Notice appeared within “Food Recipes,” which provides instructions on how to create the food items featured in the issue. The *People* magazine Publication Notice appeared adjacent to the issue’s feature article about Miranda Lambert’s secret marriage to Brendan McLoughlin.

20. Copies of the Publication Notices as they appeared in the publications are attached as **Exhibit D**.

## ***Internet Advertising***

21. Two hundred forty one million seven hundred fifty thousand (241,750,000) digital media impressions were purchased and distributed over the Google Display Network (GDN), Facebook, and YouTube. The impressions appeared on both mobile and desktop devices and broadly targeted adults 18 years of age or older.

22. A total of 252,917,745 impressions were delivered over an approximate 60-day period beginning on February 15, 2019, resulting in an additional 11,167,745 impressions above and beyond what was planned. The banner notices appeared on a variety of websites, such as amazon.com, msn.com, and people.com.

<sup>5</sup> The date that appeared on the cover of the publication.

<sup>6</sup> The date the publication first became available to readers.

23. Screenshots of the digital media notices as they appeared on various websites are attached as **Exhibit E**.

## **Settlement Website**

24. On or before February 15, 2019, a settlement website (www.AlarmTCPAclassaction.com) was established. The settlement website provided Settlement Class Members with additional information, such as answers to frequently asked questions, important dates and deadlines, the Settlement Agreement, the Email Notice, the Website Notice, the Court’s Order Granting Preliminary Approval, and the Motion for Attorneys’ Fees, Costs, and Service Awards with supporting declarations. The website also allowed Settlement Class Members to submit a Claim Form online and to check the number of phone calls to their phone number (if they were part of the identified Settlement Class Member population).

25. As of June 14, 2019, the settlement website has received 1,970,935 hits and 27,494 Claim Form submissions. The website address was displayed on the Postcard Notice and Publication Notice, and was accessible through a hyperlink embedded in the Email Notices and internet banner notices.

### ***Toll-Free Telephone Number***

26. On or before February 15, 2019, a toll-free number (1-855-256-2243) was established. By calling this number, Settlement Class Members were able to learn more about the Settlement in the form of frequently asked questions and answers, request to have a Detailed Notice mailed directly to them, and leave a message. As of June 14, 2019, the toll-free number has received a total of 1,019 calls, of which 129 left a message. It also received 151 requests for Class Notices. The toll-free number was displayed on the Postcard Notice, Email Notice, Publication Notice, Reminder Notice and on the settlement website.

***Settlement P.O. Box***

27. On or before February 15, 2019, a Settlement P.O. Box was established. The P.O. Box allowed Settlement Class Members to submit hard copy Claim Forms, exclusion requests, objections, and other case correspondence by postal mail.

## *Requests for Exclusion*

28. The deadline for Settlement Class Members to request to be excluded from the Settlement Class was April 16, 2019. KCC has received 14 valid requests for exclusion. Four additional requests for exclusion were received that were deemed to be incomplete and were sent a deficiency letter allowing them the opportunity to correct their request. As of the date of this declaration KCC has received a response from one of the four people sent these letters and their request is now considered valid. A list of class members requesting exclusion and those whose exclusion requests are currently considered deficient is attached as **Exhibit F**.

### *Objections*

29. The deadline for Settlement Class Members to object to the Settlement was April 16, 2019. KCC has received no objections to the Settlement.

## *Claim Forms*

30. The deadline for Settlement Class Members to submit or file a Claim Form was April 16, 2019. As of the date of this declaration, KCC has received 55,435 timely Claim Forms. Of these, 43,292 have been deemed valid, 4,763 have been deemed deficient, 1,781 are under review for validity and 5,599 were duplicative or consolidated. Settlement Class Members who submitted deficient Claim Forms were sent a letter providing them with an opportunity to correct the deficiency. The cure period for deficient claims remains open as of the date of this declaration.

31. Of the 43,292 valid Claim Forms, 19,794 contained claims for more than one telephone number. In total, Claim Forms associated with 73,256 telephone numbers were filed. The exact quantity of numbers associated with deficient claims can't be determined yet because many failed to provide a number on their claim form. Based on the current valid claims, if the Court approves all requested settlement expenses, including attorneys' fees, costs, and

1 administration expenses, a Settlement Class Member would be entitled to an estimated payment  
 2 of \$235 for each claimed telephone number.

3 ***Distribution of CAFA Notices***

4 32. In compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. § 1715,  
 5 KCC compiled a CD-ROM containing the following documents: Class Action Complaint for  
 6 Damages and Injunctive Relief, Defendants’ Answer and Affirmative Defenses to Class Action  
 7 Complaint for Damages and Injunctive Relief, Plaintiffs’ Notice of Motion and Memorandum of  
 8 Points and Authorities in Support of Unopposed Motion for Preliminary Approval of Class  
 9 Action Settlement, Declaration of Beth E. Terrell in Support of Plaintiffs’ Motion for  
 10 Preliminary Approval of Class Action Settlement, Declaration of Edward A. Broderick in  
 11 Support of Plaintiffs’ Motion for Preliminary Approval of Class Action Settlement, Declaration  
 12 of John W. Barrett in Support of Plaintiffs’ Motion for Preliminary Approval of Class Action  
 13 Settlement, Declaration of Matthew P. McCue in Support of Plaintiffs’ Motion for Preliminary  
 14 Approval of Class Action Settlement, Declaration of Fred Heidarpour for Abante Rooter and  
 15 Plumbing, Inc., Declaration of Philip J. Charvat, Declaration of Mark Hankins, Declaration of  
 16 Carla A. Peak in Support of Notice Plan, [Proposed] Order Granting Plaintiffs’ Motion for  
 17 Preliminary Approval of Class Action Settlement, Postcard Notice, Email Notice, Website  
 18 Notice, Publication Notice, Class Action Settlement Agreement, [Proposed] Final Approval Order,  
 19 a cover letter, and Appendix A, providing an approximate percentage breakdown of class  
 20 member by state of residence (collectively, the “CAFA Notice Packet”). A copy of the cover  
 21 letter and Appendix A is attached hereto as **Exhibit G**.

22 33. On November 2, 2018, KCC caused fifty-eight (58) CAFA Notice Packets to be  
 23 mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed on  
 24 **Exhibit H**, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and the  
 25 District of Columbia, the Attorneys General of the 5 recognized U.S. Territories, as well as  
 26 parties of interest to this Action.

34. As of the date of this declaration, KCC has received no response to the CAFA Notice Packet from any of the recipients identified in paragraph 30 above.

## ***Notice Plan and Settlement Administration Expenses***

35. Based on current time and expenses, and likely future time and expenses, incurred in designing and implementing the Notice Plan and administering the Settlement will not exceed \$1,825,000. The final costs of administration will be contingent upon, amongst other things, the process for W9 collection ultimately approved by the Court and the final count and disposition of payments to claimants.

36. Based on preliminary estimates of claimant awards it is anticipated that some payments will total \$600 or more, making them reportable as 1099 MISC income. In compliance with IRS regulations KCC must solicit and acquire valid and complete W9 forms prior to issuing payments of \$600 or more. The exact number of affected claimants will be impacted by the number of valid deficiency responses and the associated phone numbers for those responses. It is our understanding that the parties intend to propose to the Court that KCC perform two rounds of W9 solicitation, where applicable, with at least 30 days between the two campaigns. Any claimant that is part of this group who fails to submit a valid and timely W9 response will have their payment limited to \$599.

## CONCLUSION

37. The primary objective of the Notice Plan was to effectively reach Settlement Class Members with notice of the Settlement and provide them with a reasonable opportunity to understand their legal rights and options. These efforts were successful.

38. The media portion of the Notice Plan reached at least 74% of likely Settlement Class Members on average 2.2 times each. The individual notice efforts significantly enhanced and extended the overall reach of the Notice Plan.

39. In my experience, this reach percentage is consistent with other effective court-approved notice programs. In addition, it meets the 70-95% reach standard set forth in the

1 Federal Judicial Center's (FJC) *Judges' Class Action Notice and Claims Process Checklist and*  
2 *Plain Language Guide*.

3 40. The Notices were designed to be "noticed" and understood by Settlement Class  
4 Members. They contained easy-to-read summaries of all the key information affecting  
5 Settlement Class Members' rights and options. All information required by Federal Rule of Civil  
6 Procedure 23, as well as the *Manual for Complex Litigation, Fourth*, and the Northern District of  
7 California's Procedural Guidance for Class Action Settlements was incorporated into the  
8 Notices. Many courts, as well as the FJC, have approved notices that were written and designed  
9 in a similar fashion.

10 41. In my opinion, the Notice Plan and Notices provided the best notice practicable  
11 under the circumstances of this case, satisfied due process, including its "desire to actually  
12 inform" requirement, conformed to all aspects of Federal Rule of Civil Procedure 23, and  
13 comported with the guidance for effective notice articulated in the *Manual for Complex*  
14 *Litigation, Fourth* and the Northern District of California's Procedural Guidance for Class  
15 Action Settlements.

16 I declare under penalty of perjury under the laws of the United States of America that the  
17 foregoing is true and correct.

18 EXECUTED at Sellersville, Pennsylvania, this 21st day of June, 2019.  
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21   
22

23 Carla A. Peak  
24  
25  
26  
27

**CERTIFICATE OF SERVICE**

I, Beth E. Terrell, hereby certify that on June 21, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Kasey C. Townsend, SBN #152992  
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Attorneys for Defendants Alarm.com Incorporated and Alarm.com Holdings, Inc.

DECLARATION OF CARLA A. PEAK ON IMPLEMENTATION OF SETTLEMENT  
NOTICE PLAN - 12  
CASE No. 4:15-cv-06314-YGR

1 DATED this 21st day of June, 2019.

2 TERRELL MARSHALL LAW GROUP PLLC

3 By: /s/ Beth E. Terrell, SBN #178181

4 Beth E. Terrell, SBN #178181

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7

8 *Attorneys for Plaintiffs*

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## **Exhibit A**

Claim ID#: «ClaimID»

«First1» «Last1»

## EMAIL NOTICE

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

If you received telemarketing calls from Alliance Security, Inc. or a third party hired by Alliance that promoted or could have resulted in the purchase of Alarm.com goods or services, you could get a payment from a class action settlement.

**[Click Here For A Downloadable Claim Form](#)**  
**[Click Here To Access An Electronic Claim Form](#)**

**Why did I get this Notice?** You received this Notice because a proposed settlement of a class action lawsuit filed against Alarm.com has been reached in the United States District Court for the Northern District of California (*Abante Rooter and Plumbing, Inc. et al. v. Alarm.com Incorporated et al.*, Case No. 4:15-cv-06314) (the “Settlement”).

You may be in the Settlement Class because on or after December 30, 2011 you may have received from Alliance Security, Inc. or one of its subdealers, independent business operators, vendors, lead generators, or agents (collectively “Alliance”) without your permission: (a) automated telemarketing calls to your cellular telephone; (b) telemarketing calls using an artificial or pre-recorded voice to your cellular telephone or residential line; or (c) two or more telemarketing calls within any twelve-month period to a telephone number that was registered on the National Do-Not-Call Registry, where the calls promoted Alarm.com goods or services or could have resulted in the installation of a security system that could use or include any Alarm.com product or service. Records obtained through this case indicate that you may have received one or more of these calls. You are not a member of the Settlement Class if you previously received a notice of this class action and excluded yourself. You also are not a member of the Settlement Class if you provided your telephone number to Alarm.com before you received the allegedly unlawful calls from Alliance.

The Court authorized this Notice because you have a right to know about the proposed Settlement and your options before the Court decides whether to approve the Settlement. Because your rights will be affected by this Settlement, it is extremely important that you read this Notice carefully.

**What is this lawsuit about?** Plaintiffs brought this lawsuit alleging that Alarm.com’s dealer, Alliance Security, Inc., violated the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (“TCPA”) by making or retaining others to make automated telemarketing calls promoting Alarm.com’s goods or services to cellular telephones, and making calls using an artificial or pre-recorded voice to a residential line, and making calls to telephone numbers registered on the National Do-Not-Call Registry without the prior permission of the people contacted. Under the TCPA, a person is entitled to receive \$500 for calls that were placed using a pre-recorded message or automated telephone dialing system without the person’s consent. A person is entitled to receive up to \$500 per call for calls placed to telephone numbers registered on the National Do-Not-Call Registry without that person’s consent. If the person proves the calls were placed willfully, the person is entitled to triple the amount awarded, up to \$1,500. Alarm.com denies all allegations of wrongdoing in the lawsuit. The Court did not decide in favor of the Plaintiffs or Alarm.com. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and the people affected will get compensation.

**What are the terms of the Settlement?** Alarm.com will pay \$28,000,000 into a fund that will cover: (1) cash payments to eligible persons in the Settlement Class who submit Claim Forms; (2) attorneys’ fees to Class Counsel, in an amount not to exceed 30% of the Settlement Fund or \$8,400,000 as approved by the Court; (3) Class Counsel’s out-of-pocket expenses, currently estimated to be approximately \$525,000, as approved by

the Court; (4) court-approved Service Awards in the amount of \$10,000 each to Plaintiffs Abante Rooter and Plumbing, Inc., Hankins, and Charvat; and (5) the costs of administering the Settlement. Your share of the fund will depend on a number of factors, including the number of Claim Forms that Settlement Class Members submit. Class Counsel estimate each Settlement Class Member will receive between \$94 and \$142. Actual payments will be calculated based on the total number of telephone numbers that received qualifying phone calls.

## YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

**Submit a Claim Form.** To get a cash payment, you must submit a Claim Form. You may submit a Claim Form online by going to the Settlement Website at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com) and following the instructions. You may also request a paper copy of the Claim Form by calling the Settlement Administrator toll-free at 1-855-256-2243 or downloading it. You must mail your paper Claim Form to: Alarm.com Settlement Administrator, P.O. Box 505034, Louisville, KY 40233-9702. Your Claim Form must be postmarked or received through the Settlement Website at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com) by **April 16, 2019**.

**Click [Here](#) For A Downloadable Claim Form**

**Click [Here](#) To Access An Electronic Claim Form**

**Exclude yourself.** To exclude yourself from the settlement, you must send a letter by mail saying that you want to be excluded from the *Abante Rooter and Plumbing, Inc. et al. v. Alarm.com Incorporated et al.* settlement. You must sign the letter and include the following statement: "I request to be excluded from the Settlement in the Alarm.com action." Your request for exclusion must include your full name, address, and telephone number at which you may be contacted; the telephone number(s) which you maintain was unlawfully called; and must be personally signed by you. You must mail your exclusion request postmarked no later than **April 16, 2019** to the following address:

Alarm.com Settlement Administrator  
P.O. Box 505034  
Louisville, KY 40233-9702

If you submit a valid exclusion request, you will not get a payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

**Object.** If you remain a Settlement Class Member, you may object to the Settlement by writing to the Court by no later than **April 16, 2019**. Additional details on how to object to the Settlement are contained in the detailed Notice which is available on the Settlement Website at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). Please note that the Court cannot change the terms of the Settlement. The Court can only approve or deny the Settlement.

**Go to the Fairness Hearing.** The Court will hold a hearing on **August 13, 2019 at 2:00 p.m.** to decide whether to approve the Settlement, including the amount of attorneys' fees and costs to be paid to Class Counsel and the amount of Service Awards to be paid to the Class Representatives. It is not necessary for you to appear at the hearing, but you may attend at your own expense. The hearing will be held at the U.S. District Court for the Northern District of California, located at 1301 Clay Street, Oakland, CA 94612, in Courtroom One on the Fourth Floor.

**Note:** The date and time of the Fairness Hearing are subject to change by Court Order. Any changes will be posted at the Settlement Website, [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). You can also monitor case activity and for changes to the dates and time of the fairness hearing by accessing the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 1301 Clay Street, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**Do Nothing.** If you do nothing, you will be legally bound by the settlement but you will not get a settlement payment.

Further information regarding the Settlement is available at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). You may also contact the Settlement Administrator toll-free at 1-855-256-2243 or by writing to: Alarm.com Settlement Administrator, P.O. Box 505034, Louisville, KY 40233-9702.

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The United States District Court for the Northern District of California has ordered this email notice to be sent. If you wish to UNSUBSCRIBE from future email messages from the Settlement Administrator with regard to this Settlement, please click on this [link](#).

**Click [Here](#) For A Downloadable Claim Form**  
**Click [Here](#) To Access An Electronic Claim Form**

## **Exhibit B**

ACCOUNT AUTHORIZED  
THIS LEGAL NOTICEAlarm.com Settlement Administrator  
P.O. Box 505034  
Louisville, KY 40233-9702

If you received telemarketing calls from Alliance Security or third parties hired by Alliance that promoted or could have resulted in the purchase of Alarm.com goods or services, you may be entitled to benefits under a class action settlement.

A settlement has been reached in a class action lawsuit, *Abante Rooter and Plumbing, Inc. v. Alarm.com Inc.* (U.S. District Court N.D. Cal.), where Plaintiffs allege that Alarm.com's dealer Alliance Security or third parties hired by Alliance (collectively "Alliance") placed: (1) autodialed or pre-recorded calls and (2) calls to numbers on the National Do-Not-Call Registry. Alarm.com denies any wrongdoing.

Complete and return the enclosed Claim Form by April 16, 2019 to receive a cash payment.

A2T

Carefully separate at perforation.

«ClaimID»

### Alarm.com Telemarketing Settlement Claim Form

Fill out each section of this form, sign where indicated, carefully tear at perforation, and mail. Forms must be postmarked by **April 16, 2019**. You may also complete your Claim Form online at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). If you received calls on more than three telephone numbers you will need to submit additional Claim Forms.

**Part I: Claimant Identification.** Complete this section.

Name (First, Last): \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State, ZIP Code: \_\_\_\_\_

Country (if not USA): \_\_\_\_\_

Contact Phone #: \_\_\_\_\_ Email Address: \_\_\_\_\_

Telephone #(s) at which calls were received: \_\_\_\_\_

**Part II: Claim. Unique Identifier:** «ClaimID»

I affirm I received one or more calls at the number(s) listed above on or after December 30, 2011 from Alliance or a third party hired by Alliance that promoted or could have resulted in the purchase of Alarm.com goods or services.

**Part III: Certification.** I certify that the foregoing information is true and correct.

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date (mm/dd/yyyy): \_\_\_\_\_



«ClaimID»

WHAT A CLASS MEMBER<sup>2</sup> WOULD HAVE RECEIVED You may be in the Settlement Class if, on or after December 10, 2011, you received from Alliance Security or third parties hired by Alliance an automated telemarketing call on your cell phone or a telemarketing call to your residential line using an artificial or pre-recorded voice, or if you received multiple calls in a twelve-month period to a number listed on the National Do-Not-Call Registry. Records obtained through this case indicate that you may have received one or more of these calls. You are NOT a class member if you previously excluded yourself from this case or provided your telephone number to Alarm.com prior to receiving such calls.

**SETTLEMENT TERMS:** Alarm.com will pay \$28,000,000 into a fund that will cover: (1) cash payments to eligible Settlement Class Members who submit claims; (2) attorneys' fees to Class Counsel not to exceed \$8,400,000 (30% of the fund) plus litigation costs of approximately \$525,000, as approved by the Court; (3) court-approved service awards to Plaintiffs Abante Rooter and Plumbing, Hankins, and Charvat of \$10,000 each; and (4) the costs of administering the settlement. Under the TCPA, a person is entitled to receive \$500 for calls placed using a pre-recorded voice or automatic telephone dialing system without the person's consent. A person is entitled to receive up to \$500 per call for calls placed to telephone numbers registered on the National Do-Not-Call Registry without that person's consent. Class Counsel estimate you will receive between \$94 and \$142, which is less than the \$500 to \$1,500 per call you might receive if Plaintiffs had won at trial. The amount you will receive under the Settlement will depend on the number of Claim Forms that Class Members submit and other factors. Actual payments will be calculated based on the total number of telephone numbers that received qualifying phone calls.

**YOUR RIGHTS AND OPTIONS:** Submit a Claim Form. To receive a cash award, fill out the attached Claim Form, carefully tear off at the perforation, and drop it in the mail. You may also submit a Claim Form electronically on the Settlement Website: [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). You can submit one claim per telephone number at which you received calls. Your Claim Form must be postmarked or submitted electronically no later than April 16, 2019. Opt Out. You may also exclude yourself from the Settlement and keep your right to sue Alarm.com on your own by sending a written request for exclusion to the Settlement Administrator postmarked by April 16, 2019. If you do not exclude yourself, you will be bound by the settlement and give up your right to sue Alarm.com regarding the settled claims. Please visit the Settlement Website for more details. Object. If you do not opt out, you have the right to object to the proposed settlement. Objections must be signed, filed with the Court, postmarked by April 16, 2019, provide the reason(s) for the objection, and specify if the objection applies only to the objector, to a specific subset of the class, or to the entire class. Visit the Website for more details.

Do Nothing. If you do nothing, you will not receive any payment and will lose the right to sue Alarm.com about the Released Claims. You will be considered part of the Settlement Class, and you will be bound by the Court's decisions. Attend the Fairness Hearing. The Court has set a hearing to decide whether the settlement should be approved on August 13, 2019 at 2:00 p.m. at the **United States District Court for the Northern District of California, Courtroom One, 4th Floor, 1301 Clay Street, Oakland, CA 94612**. All persons who timely object to the settlement by April 16, 2019 may ask to appear at the Fairness Hearing.

You can find more details about the settlement on the website:

[www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com) or by calling toll-free 1-855-256-2243.

**PLEASE DO NOT TELEPHONE THE COURT OR THE CLERK'S OFFICE  
TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIMS PROCESS.**

A2T



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**  
FIRST-CLASS MAIL PERMIT NO. 959 LOUISVILLE, KY

POSTAGE WILL BE PAID BY ADDRESSEE

ALARM.COM SETTLEMENT ADMINISTRATOR  
PO BOX 505034  
LOUISVILLE KY 40233-9702



# **Exhibit C**

Claim ID#: «ClaimID»

«First1» «Last1»

## REMINDER EMAIL NOTICE

You were previously sent a Notice in the *Abante Rooter and Plumbing, Inc. et al. v. Alarm.com Incorporated et al.* class action settlement and you are receiving this email as a reminder the claims deadline is approaching on **April 16, 2019**. Please read the email below for additional details about this Settlement.

### UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

If you received telemarketing calls from Alliance Security, Inc. or a third party hired by Alliance that promoted or could have resulted in the purchase of Alarm.com goods or services, you could get a payment from a class action settlement.

[Click Here For A Downloadable Claim Form](#)

[Click Here To Access An Electronic Claim Form](#)

**Why did I get this Notice?** You received this Notice because a proposed settlement of a class action lawsuit filed against Alarm.com has been reached in the United States District Court for the Northern District of California (*Abante Rooter and Plumbing, Inc. et al. v. Alarm.com Incorporated et al.*, Case No. 4:15-cv-06314) (the “Settlement”).

You may be in the Settlement Class because on or after December 30, 2011 you may have received from Alliance Security, Inc. or one of its subdealers, independent business operators, vendors, lead generators, or agents (collectively “Alliance”) without your permission: (a) automated telemarketing calls to your cellular telephone; (b) telemarketing calls using an artificial or pre-recorded voice to your cellular telephone or residential line; or (c) two or more telemarketing calls within any twelve-month period to a telephone number that was registered on the National Do-Not-Call Registry, where the calls promoted Alarm.com goods or services or could have resulted in the installation of a security system that could use or include any Alarm.com product or service. Records obtained through this case indicate that you may have received one or more of these calls. You are not a member of the Settlement Class if you previously received a notice of this class action and excluded yourself. You also are not a member of the Settlement Class if you provided your telephone number to Alarm.com before you received the allegedly unlawful calls from Alliance.

The Court authorized this Notice because you have a right to know about the proposed Settlement and your options before the Court decides whether to approve the Settlement. Because your rights will be affected by this Settlement, it is extremely important that you read this Notice carefully.

**What is this lawsuit about?** Plaintiffs brought this lawsuit alleging that Alarm.com’s dealer, Alliance Security, Inc., violated the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.* (“TCPA”) by making or retaining others to make automated telemarketing calls promoting Alarm.com’s goods or services to cellular telephones, and making calls using an artificial or pre-recorded voice to a residential line, and making calls to telephone numbers registered on the National Do-Not-Call Registry without the prior permission of the people contacted. Under the TCPA, a person is entitled to receive \$500 for calls that were placed using a pre-recorded message or automated telephone dialing system without the person’s consent. A person is entitled to receive up to \$500 per call for calls placed to telephone numbers registered on the National Do-Not-Call Registry without that person’s consent. If the person proves the calls were placed willfully, the person is entitled to triple the amount awarded, up to \$1,500. Alarm.com denies all allegations of wrongdoing in the lawsuit. The Court did not decide in favor of the Plaintiffs or Alarm.com. Instead, both sides agreed to a settlement. That way, they avoid the cost of a trial, and the people affected will get compensation.

**What are the terms of the Settlement?** Alarm.com will pay \$28,000,000 into a fund that will cover: (1) cash payments to eligible persons in the Settlement Class who submit Claim Forms; (2) attorneys' fees to Class Counsel, in an amount not to exceed 30% of the Settlement Fund or \$8,400,000 as approved by the Court; (3) Class Counsel's out-of-pocket expenses, currently estimated to be approximately \$525,000, as approved by the Court; (4) court-approved Service Awards in the amount of \$10,000 each to Plaintiffs Abante Rooter and Plumbing, Inc., Hankins, and Charvat; and (5) the costs of administering the Settlement. Your share of the fund will depend on a number of factors, including the number of Claim Forms that Settlement Class Members submit. Class Counsel estimate each Settlement Class Member will receive between \$94 and \$142. Actual payments will be calculated based on the total number of telephone numbers that received qualifying phone calls.

## YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT

**Submit a Claim Form.** To get a cash payment, you must submit a Claim Form. You may submit a Claim Form online by going to the Settlement Website at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com) and following the instructions. You may also request a paper copy of the Claim Form by calling the Settlement Administrator toll-free at 1-855-256-2243 or downloading it. You must mail your paper Claim Form to: Alarm.com Settlement Administrator, P.O. Box 505034, Louisville, KY 40233-9702. Your Claim Form must be postmarked or received through the Settlement Website at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com) by **April 16, 2019**.

**Click [Here](#) For A Downloadable Claim Form**  
**Click [Here](#) To Access An Electronic Claim Form**

**Exclude yourself.** To exclude yourself from the settlement, you must send a letter by mail saying that you want to be excluded from the *Abante Rooter and Plumbing, Inc. et al. v. Alarm.com Incorporated et al.* settlement. You must sign the letter and include the following statement: "I request to be excluded from the Settlement in the Alarm.com action." Your request for exclusion must include your full name, address, and telephone number at which you may be contacted; the telephone number(s) which you maintain was unlawfully called; and must be personally signed by you. You must mail your exclusion request postmarked no later than **April 16, 2019** to the following address:

Alarm.com Settlement Administrator  
P.O. Box 505034  
Louisville, KY 40233-9702

If you submit a valid exclusion request, you will not get a payment, and you cannot object to the Settlement. You will not be legally bound by anything that happens in this lawsuit.

**Object.** If you remain a Settlement Class Member, you may object to the Settlement by writing to the Court by no later than **April 16, 2019**. Additional details on how to object to the Settlement are contained in the detailed Notice which is available on the Settlement Website at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). Please note that the Court cannot change the terms of the Settlement. The Court can only approve or deny the Settlement.

**Go to the Fairness Hearing.** The Court will hold a hearing on **August 13, 2019 at 2:00 p.m.** to decide whether to approve the Settlement, including the amount of attorneys' fees and costs to be paid to Class Counsel and the amount of Service Awards to be paid to the Class Representatives. It is not necessary for you to appear at the hearing, but you may attend at your own expense. The hearing will be held at the U.S. District Court for the Northern District of California, located at 1301 Clay Street, Oakland, CA 94612, in Courtroom One on the Fourth Floor.

**Note:** The date and time of the Fairness Hearing are subject to change by Court Order. Any changes will be posted at the Settlement Website, [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). You can also monitor case activity and for changes to the dates and time of the fairness hearing by accessing the Court docket in this case through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the

office of the Clerk of the Court for the United States District Court for the Northern District of California, 1301 Clay Street, Oakland, CA 94612, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**Do Nothing.** If you do nothing, you will be legally bound by the settlement but you will not get a settlement payment.

Further information regarding the Settlement is available at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). You may also contact the Settlement Administrator toll-free at 1-855-256-2243 or by writing to: Alarm.com Settlement Administrator, P.O. Box 505034, Louisville, KY 40233-9702.

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The United States District Court for the Northern District of California has ordered this email notice to be sent. If you wish to UNSUBSCRIBE from future email messages from the Settlement Administrator with regard to this Settlement, please click on this [link](#).

**Click [Here](#) For A Downloadable Claim Form**  
**Click [Here](#) To Access An Electronic Claim Form**

## **Exhibit D**

## LEGAL NOTICE

If you received telemarketing calls from Alliance Security or a third party hired by Alliance that promoted or could have resulted in the purchase of Alarm.com's goods or services, you may be entitled to benefits under a class action settlement.

THIS NOTICE MAY AFFECT YOUR LEGAL RIGHTS. PLEASE READ IT CAREFULLY.

**WHAT IS THIS LAWSUIT ABOUT?** A settlement has been reached in a class action lawsuit, *Abante Rooter and Plumbing, Inc. v. Alarm.com Inc.*, Case No. 4:15-cv-06314 (U.S. Dist. Court N.D. Cal.). Plaintiffs allege Alarm.com's dealer, Alliance Security, Inc. or third parties hired by Alliance violated the Telephone Consumer Protection Act ("TCPA"), by making (1) autodialed or pre-recorded calls and (2) calls to numbers on the National Do-Not-Call Registry. The TCPA entitles a person to \$500 per call for calls placed using pre-recorded messages or an automated telephone dialing system without the person's consent and up to \$500 per call for calls placed without consent to telephone numbers on the National Do-Not-Call Registry. If the calls were placed willfully, the person is entitled to up to \$1,500 per call. Alarm.com denies it violated the TCPA.

**WHO IS A SETTLEMENT CLASS MEMBER?** You may be in the Settlement Class if, on or after December 30, 2011, you received from Alliance Security or third parties hired by Alliance an automated telemarketing call on your cell phone or a telemarketing call to your residential line using an artificial or pre-recorded voice or if you received multiple calls in a twelve-month period to a number listed on the National Do-Not-Call Registry. You are NOT a class member if you previously excluded yourself from this case or provided your telephone number to Alarm.com prior to receiving such calls.

**WHAT ARE THE TERMS OF THE SETTLEMENT?** Alarm.com will pay \$28,000,000 into a Settlement Fund for: (1) cash payments to Settlement Class Members who submit timely and valid Claim Forms; (2) attorneys' fees of up to \$8,400,000 to Class Counsel; (3) out-of-pocket litigation costs of approximately \$525,000; (4) service awards to the lead Plaintiffs of up to \$10,000 each; and (5) settlement administration costs. Each Settlement Class Member's share of the settlement fund will depend on a number of factors, including the number of claims made. Class Counsel estimates each Settlement Class Member will receive \$94 to \$142. Actual payments will be calculated based on the total number of telephone numbers that received qualifying phone calls.

**WHAT ARE MY OPTIONS?** Persons in the Settlement Class may: (1) submit a Claim Form (if eligible) at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com) or call 1-855-256-2243 to request a paper Claim Form; (2) exclude themselves from the Settlement by April 16, 2019 or they will not be able to pursue their own claims against Alarm.com in the future; (3) object to the Settlement by April 16, 2019; (4) go to the Fairness Hearing on July 30, 2019; or (5) do nothing.

This Notice is a summary only. Persons in the Settlement Class may obtain more information at [www.AlarmTCPAClassAction.com](http://www.AlarmTCPAClassAction.com). They may also contact the Settlement Administrator toll-free at 1-855-256-2243 or by writing to: Alarm.com Settlement Administrator, P.O. Box 505034, Louisville, KY 40233-9702.

## FOOD RECIPES

**1.** Preheat oven to 350°F. Butter bottom and sides of a 3-qt. rectangular baking dish; set aside. In a large skillet melt 3 Tbsp. butter over medium. Add leeks, shallots, and a pinch of salt. Cook about 10 minutes or until softened, stirring occasionally. Add spinach, garlic, and oregano. Cook 2 to 3 minutes or until spinach is wilted. Remove from heat; let cool slightly.

**2.** In a medium bowl whisk together three eggs, the cottage cheese, feta, milk, lemon zest, 1/2 tsp salt, and a generous amount of black pepper.

**3.** Fill a shallow baking dish with warm water. Dip three sheets of matzo in water; let matzo soften 2 to 3 minutes. Shake off excess water. Arrange matzo sheets in bottom of prepared baking dish, breaking matzo to fit if necessary. Cover with half the cheese mixture then half the leek mixture. Repeat with three more softened matzo sheets and remaining cheese and leek mixtures.

**4.** Soften remaining three sheets of matzo; arrange on top. In a small bowl whisk remaining egg; brush over top.

**5.** Bake about 45 minutes or until golden brown and bubbling. Let stand 10 minutes. Sprinkle with parsley. Serve warm. Refrigerate leftovers, covered, up to 4 days. Makes 8 servings.

**EACH SERVING** 404 cal, 17 g fat, 142 mg chol, 689 mg sodium, 41 g carb, 3 g fiber, 7 g sugars, 22 g pro.

## GRILLED ASPARAGUS WITH TOUM

Use leftover toum as a sauce for grilled meats or greens or as a dip for fresh veggies or pita.

**TOTAL TIME** 20 min.

1 head garlic, cloves separated and peeled  
Juice of 1 lemon  
1 1/2 tsp. honey  
1 cup canola oil  
2 lb. asparagus

**1.** For toum: In a blender combine garlic and 3 Tbsp water; puree until blended. Add lemon juice, 1 Tbsp. kosher salt, and the honey; process until well blended. With blender on low, slowly add oil. (Mixture should be thick and creamy.)

**2.** Preheat grill to medium-high. Prepare an ice bath. Bring a large pot of salted water to boiling; add asparagus. Cook 30 seconds; transfer immediately to ice bath. Grill asparagus about 2 minutes each side. Serve with toum. Makes 6 servings.

**EACH SERVING** 352 cal, 36 g fat, 563 mg sodium, 7 g carb, 1 g fiber, 3 g sugars, 3 g pro.

## BUTTERED SWEET PEA RICE

If you're serving Seder dinner, keep in mind some Jewish sects avoid rice and peas during Passover.

**HANDS-ON TIME** 15 min.

**TOTAL TIME** 40 min.

1 1/2 cups basmati rice  
1/4 cup slivered almonds  
1/4 cup butter, schmaltz, or olive oil  
1 Tbsp. Chili Garlic Jazz (recipe, opposite)  
1 cup shelled sweet peas or frozen baby sweet peas, thawed  
1 cup sugar snap peas, sliced into 1/2-inch pieces  
2 cups pea shoots or snow pea greens, plus more for garnish

**1.** Preheat oven to 375°F. In an oven-safe small saucepan with a lid bring 2 cups water and 1/2 tsp. salt to boiling. Stir in rice; cover. Transfer to oven. Cook 20 minutes or until rice is tender and water is absorbed. Spread rice onto a baking sheet or tray; let cool.

**2.** Meanwhile, in a nonstick skillet cook almonds over medium-low 2 to 3 minutes or until starting to brown, stirring constantly. Transfer to a bowl.

**3.** Once rice is cool, heat a large skillet over medium-high.

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Add 1/2 cup water, the butter, Chili Garlic Jazz, and 1/2 tsp. salt. Bring to boiling.

**4.** Add cooked rice to skillet. Cook 5 minutes or until hot. Add sweet and snap peas; mix to combine. Cook 30 seconds more or until heated.

**5.** Remove from heat. Stir in pea shoots. Top with toasted almonds and additional pea shoots. Makes 8 servings.

**CHILI GARLIC JAZZ** Preheat oven to 250°F. In a food processor combine 1 cup coarsely chopped garlic, 1/2 cup coarsely chopped red finger or Fresno chiles, and 1/4 cup canola oil. Process 2 to 3 minutes or until mixture forms a thick paste. Pour into an oven-safe 1-qt. pot. Add 1/2 to 2/3 cup canola oil; the oil should come just over the top of the mixture. Cover; bake 45 to 60 minutes or until mixture smells toasty. Let cool completely. Refrigerate in a screw-top jar up to 1 month.

**EACH SERVING** 213 cal, 9 g fat, 15 mg chol, 328 mg sodium, 31 g carb, 3 g fiber, 1 g sugars, 5 g pro.

**TAHINI RAINBOW COOKIES**

**HANDS-ON TIME** 35 min.

**TOTAL TIME** 1 hr. 50 min.

**Butter or shortening**

3 1/2 cups almond flour  
2 cups powdered sugar  
1 tsp. kosher salt  
1 cup unsalted butter or margarine  
1 Tbsp. granulated sugar  
8 eggs, separated  
2 tsp. ground matcha  
Green food coloring (optional)  
2 tsp. ground dried hibiscus flowers  
Purple or red food coloring (optional)  
3/4 cup tahini (sesame seed paste)  
2 Tbsp. honey  
1 cup semisweet chocolate chips  
1 Tbsp. coconut oil

## COCONUT-HALVA MACAROONS

For picture-perfect macaroons, bake 10 minutes. Dip a 3-inch circle cookie cutter in water, then place it over a cookie and roll it around the edges to smooth and reshape cookies into tighter mounds. Return to oven for remaining 10 minutes; repeat with wet cookie cutter after baking.

**HANDS-ON TIME** 20 min.

**TOTAL TIME** 1 hr. 20 min.

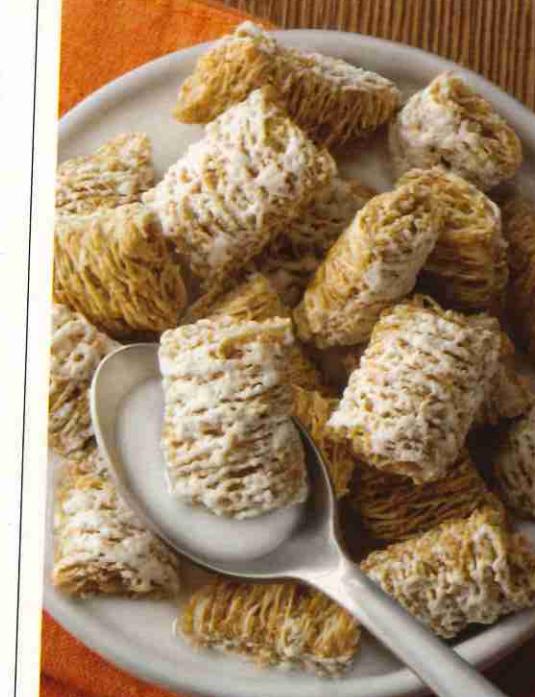
**1.** Preheat oven to 350°F. Coat three 13x9-inch baking pans with butter or shortening; line bottoms with parchment paper. In a medium bowl whisk together almond flour, powdered sugar, and salt until combined.

**2.** In a large bowl beat butter and granulated sugar with an electric mixer until fluffy. Add egg yolks, one at a time, mixing well after each addition. With mixer running, slowly add flour mixture until batter comes together.

**3.** In a separate bowl and using clean beaters, beat egg whites to medium peaks; fold into batter. Divide batter among three bowls. Stir matcha and, if desired, green food coloring into one. Stir hibiscus and, if desired,

**1.** Preheat oven to 325°F. Line two baking sheets with parchment paper. In a large bowl combine coconut, condensed milk, matzo meal, 1/2 tsp. salt,

## BIG FOOD FOR BIG DAYS



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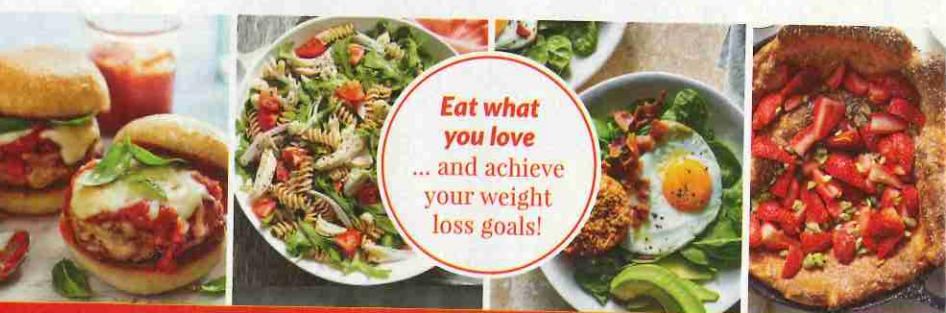
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**MORE** tools to keep you on track - including a Personal Progress Tracker, our team of experts and an online support group.

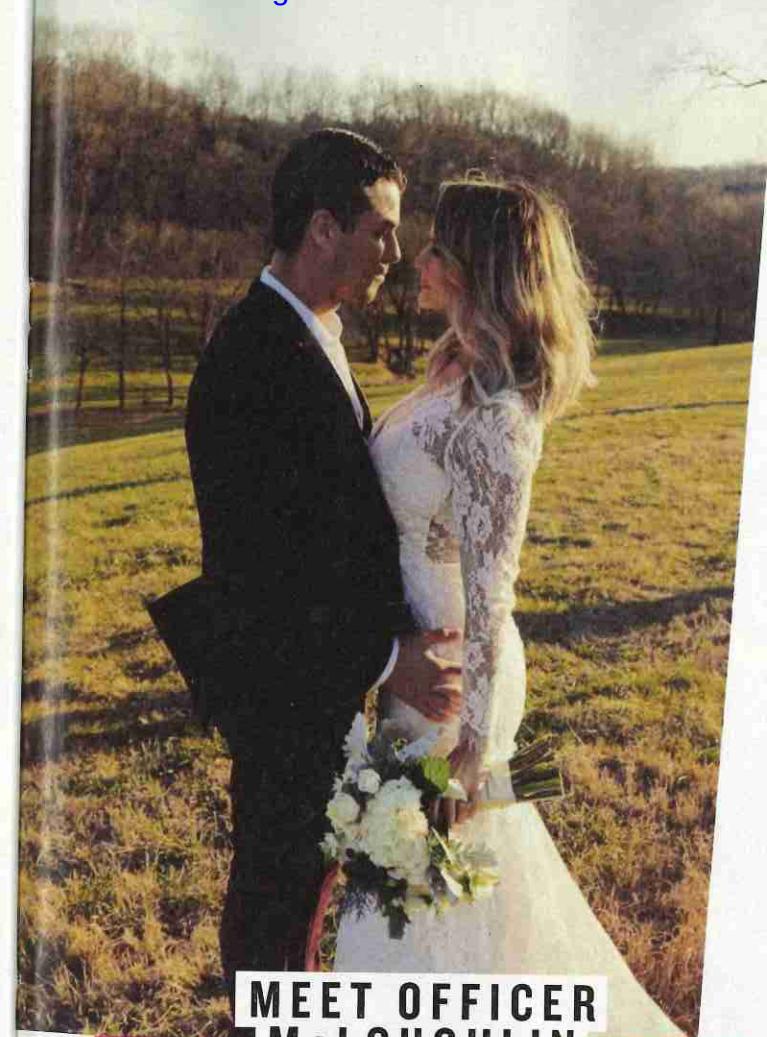
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### MEET OFFICER McLoughlin

He's a brand-new dad (who thwarts bank robbers!). All about Miranda Lambert's "hot cop" husband

- Brendan McLoughlin, 27, hails from Staten Island and joined the NYPD's Midtown South Precinct in 2013. Last March the precinct praised him for apprehending a "perpetrator in a bank robbery."
- He welcomed a child—a baby boy named Landon James—from a previous relationship in November.
- He once tried to become a professional model. In 2011 he created a profile on Model Mayhem, a site for models to network as well as seek and secure jobs, where he described his style as "all american boy/ abercrombie/ sporty."

#### Reporting for Duty

The NYPD's Midtown South Precinct tweeted a photo of McLoughlin (right) in his uniform posing next to a canine comrade, named Kybo, at a "doggy diving event" in 2015.



Felker (see sidebar), this time love came fast and hard for the star, who a source confirms first met McLoughlin in New York City on Nov. 2, the day she appeared on *Good Morning America* to perform her band Pistol Annies' feisty single "Got My Name Changed Back" (which is, ironically, a song about reclaiming your name after divorce). McLoughlin, who's currently assigned to the NYPD's South Midtown Precinct, patrols the area where Lambert performed both on *GMA* and at the Town Hall later that evening. As for what may have sparked things up between them, "if you know Miranda's dad and his background," says a friend, noting that Lambert's dad, Richard, is a retired detective, "you can guess why she'd easily connect with Brendan."

In their three months together, it hasn't all been smooth sailing. The wedding news came only days after Lambert made headlines for being embroiled in a restaurant dispute that reportedly had her "flipping plates" on a couple, according to a 911 call. It wasn't confirmed that McLoughlin was there during the altercation, but the manager of Nashville's Stoney River Steakhouse told cops that the man with Lambert and her mother, Beverly Hughes, said "he's an out-of-state cop." McLoughlin is also a new dad, having welcomed a son on Nov. 5, just days after meeting Lambert (the status of his relationship to the baby's mother at the time he met Lambert is unclear). No stranger to relationship drama—amid news of her last relationship, to Felker, his estranged wife, Staci Nelson, claimed she was blindsided with his sudden divorce filing in mid-February, just days after he had met Lambert—Lambert may still have finally found a good fit in McLoughlin, one source says. "I think he provides for her a state of [normalcy] that balances with her life before she became Miranda Lambert," says a longtime industry source. Most important, adds a close pal, with McLoughlin, "Miranda truly is happier than ever."

By Brianne Tracy with reporting by Melody Chiu, Janine Rubenstein, Nicole Sands

### Her Ex Files



**Blake Shelton**  
Since Lambert and Shelton's divorce more than three years ago, Shelton has moved on with longtime girlfriend Gwen Stefani, 49. "He put Miranda in his rear-view mirror long ago," says a source.



**Anderson East**  
After two years together, Lambert and the Nashville-based musician East, 30, split in April 2018. "It's always difficult to be a traveling musician and still keep things together," East told *In Style* before their breakup.



**Evan Felker**  
In August 2018 Lambert revealed in an interview with *The Tennessean* that she and the Turnpike Troubadours singer, 34, ended their brief romance.

## **Exhibit E**

HUFFPOST



EDITION

# LAWSUITS ALREADY RAINING DOWN

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TOP STORIES



House Judiciary Committee To



**HUFFPOST**

**POLITICS** 02/15/2019 11:51 am ET | Updated 1 hour ago

# Trump Admits He 'Didn't Need To' Declare National Emergency

The president's declaration of a national emergency over his border wall will likely end up in court.

By Marina Fang



I didn't need to do this. But I'd rather do it much faster.

President Donald Trump on Friday admitted that he "didn't need to" declare a national

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Check in each week to find out which celebs have been revealed on television's most talked-about singing competition with a twist

By DIANE J. CHO February 14, 2019 01:10 PM

6 of 8

**Week Two: The Pineapple**

**Celebrity Behind the Mask: Tommy Chong**

After performing his own version of Gloria Gaynor's "I Will Survive," the pineapple was up for elimination along with the alien and poodle on week 2. Unfortunately, judge Jenny McCarthy guessed right and it was the fruit's time to go. The pineapple revealed himself to be comedy legend Chong.



Michael Becker / FOX (2)

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To try and comfort the kindergartner, her teacher Shannon Grimm, also went for a new do. She cut her formerly hip-length hair to match that of her student.

Prisilla was thrilled to have someone to look up to, who looked like her. She even got her a matching bow. Shannon recently nominated Prisilla for the Texas school district's Student of the Month award. But she was shocked when Prisilla actually presented her with a "hero medal."

Their honorable prizes are just one more thing the two now have in common.

---

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**Former Teacher Brings Sisters To Father-Daughter Dance After Losing Their Father**

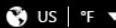
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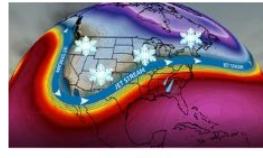
Deadly Winter Storm: Highways Shut Down, 43-Vehicle Pileup Triggered 

Now it's the Midwest's turn to feel Nadia's wrath 

**TRENDING**



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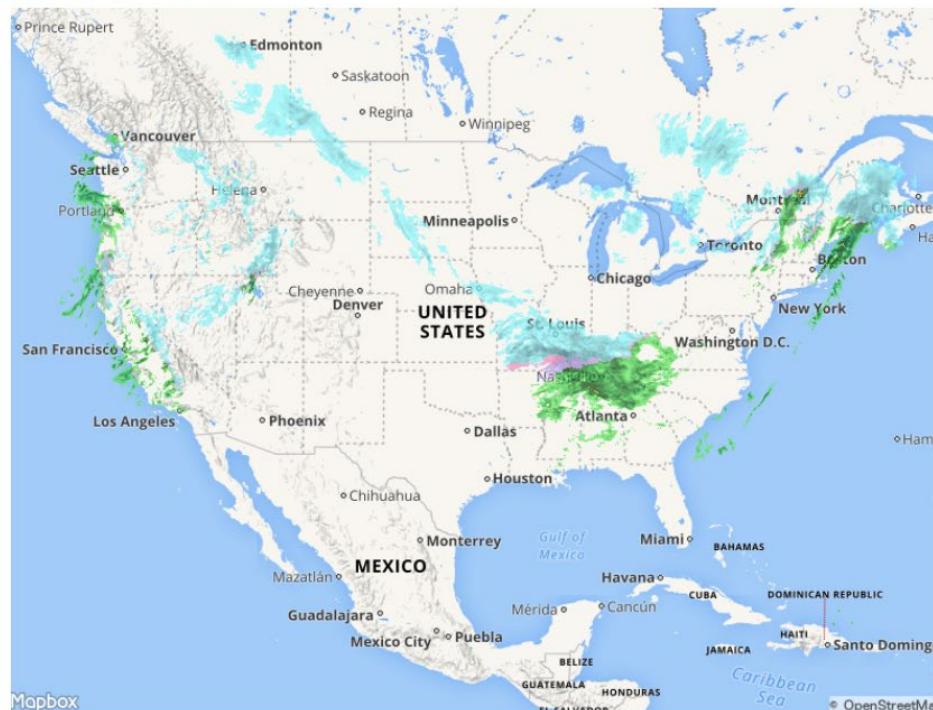
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Hotel Transylvania 2 FROM \$3.99

HOTEL TRANSYLVANIA 2

Rated: PG  
Released: 2015  
Running time: 1:29:17  
Language: English

Up next

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Hotel Transylvania 3 | Summer Vacation - Mavis Funny...

Chip Movies 6.3M views 10:28

Monsters, Inc.

YouTube Movies Animation - 2001 From \$2.99 1:32:07

Scooby-Doo and the Reluctant Werewolf

YouTube Movies Animation - 1:00:00

Trader Dave Published on Jul 18, 2017

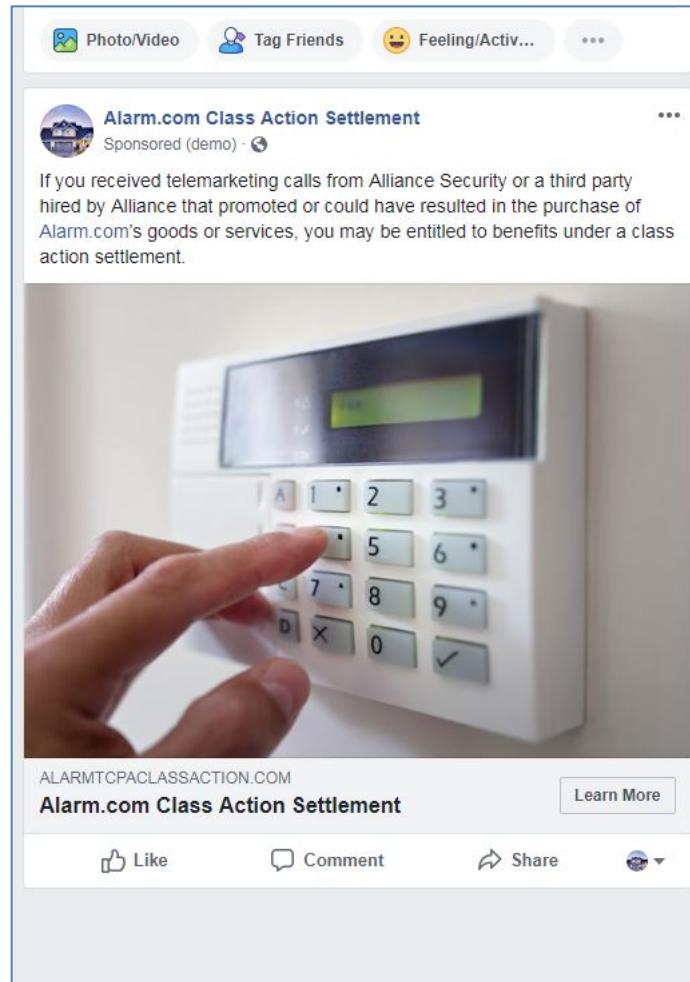
This is a compilation in order of appearance of all scenes with Winnie together with Dennis in Hotel Transylvania 2 (2015). It is all scenes with Winnie since she is with Dennis in every appearance in the movie.

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**Alarm.com Class Action Settlement**  
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## **Exhibit F**

**Requests for Exclusion****Total:**

18

Last	First	Status
ALEXANDER	FREDERICK	VALID
BAILEY	OLDEN	VALID
BANK	TODD	VALID
BROWN	ANGELA L	VALID
BROWN	TIFFANY	VALID
DALLAPIAZZA	BILL	VALID
GIGANDET	DIANE	DEFICIENT
GONZALEZ	ABIGAIL	VALID
HAMMEL	JAN T	VALID
HOUSTON	ERIC	VALID
HUSSIN	TAMMY	VALID
KUBASKY	MARK	VALID
MACKLIN	JAMAL	VALID
RUOSS	JAMES	DEFICIENT
SORENSEN	D	DEFICIENT
TUCKER-CURRY	SHRAIL	VALID
VALENTINE	ADELITA	VALID
WILLIS	KEISHA	VALID

## **Exhibit G**



3301 Kerner Boulevard  
San Rafael, CA 94901

415.798.5900 PHONE  
415.892.7354 FAX  
kccllc.com

November 2, 2018

VIA PRIORITY MAIL

«First» «Last»  
«Company»  
«Address\_1»  
«Address\_2»  
«City», «State» «Zip»

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715

Dear «First» «Last»:

KCC Class Action Services, LLC has been retained as the independent third-party Administrator in a class action lawsuit entitled *Abante Rooter and Plumbing, Inc., Mark Hankins, and Philip J. Charvat, individually and on behalf of all others similarly situated, v. Alarm.com Incorporated and Alarm.com Holdings, Inc.*, Case No. 4:15-cv-06314-YGR. Kirkland & Ellis LLP and Jaszcuk P.C. represent Alarm.com Incorporated and Alarm.com Holdings, Inc. (“Alarm.com”) in that matter. The lawsuit is pending before the Honorable Yvonne Gonzalez Rogers in the United States District Court for the Northern District of California, Oakland Division. This letter is to advise you that Plaintiffs filed a Motion for Preliminary Approval of Class Action Settlement in connection with this class action lawsuit on October 25, 2018.

**Case Name:** *Abante Rooter and Plumbing, Inc., et al., v. Alarm.com Incorporated, et al.*

**Case Number:** 4:15-cv-06314-YGR

**Jurisdiction:** United States District Court,  
Northern District of California, Oakland Division

**Date Settlement Filed with Court:** October 25, 2018

Alarm.com denies any wrongdoing or liability whatsoever, but has decided to settle this action solely in order to eliminate the burden, expense, and uncertainties of further litigation. In compliance with 28 U.S.C. § 1715(b), the following documents referenced below are included on the CD that is enclosed with this letter:



«First» «Last»

November 2, 2018

Page 2

1. **28 U.S.C. § 1715(b)(1) – Complaint and Related Materials:** Copies of the *Class Action Complaint for Damages and Injunctive Relief* and *Defendants' Answer and Affirmative Defenses to Class Action Complaint for Damages and Injunctive Relief* are included on the enclosed CD.
2. **28 U.S.C. § 1715(b)(2) – Notice of Any Scheduled Judicial Hearing:** As of November 2, 2018, the Court has not yet scheduled a final fairness hearing in this matter. Plaintiffs filed *Plaintiffs' Notice of Motion and Memorandum of Points and Authorities in Support of Unopposed Motion for Preliminary Approval of Class Action Settlement* noting the hearing for preliminary approval of the Settlement is scheduled to take place on November 27, 2018, at 2:00 p.m. in Courtroom 1 on the 4<sup>th</sup> Floor of the Oakland Courthouse, before the Honorable Yvonne Gonzalez Rogers. Copies of *Plaintiffs' Notice of Motion and Memorandum of Points and Authorities in Support of Unopposed Motion for Preliminary Approval of Class Action Settlement*, *Declaration of Beth E. Terrell in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement*, *Declaration of Edward A. Broderick in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement*, *Declaration of John W. Barrett in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement*, *Declaration of Matthew P. McCue in Support of Plaintiffs' Motion for Preliminary Approval of Class Action Settlement*, *Declaration of Fred Heidarpour for Abante Rooter and Plumbing, Inc.*, *Declaration of Philip J. Charvat*, *Declaration of Mark Hankins*, *Declaration of Carla A. Peak in Support of Notice Plan*, and *[Proposed] Order Granting Plaintiffs' Motion for Preliminary Approval of Class Action Settlement* are included on the enclosed CD.
3. **28 U.S.C. § 1715(b)(3) – Notification to Class Members:** Copies of the proposed *Postcard Notice*, *Email Notice*, *Long Form Notice*, *Online Notices*, and *Publication Notice* to be provided to the class are included on the enclosed CD.
4. **28 U.S.C. § 1715(b)(4) – Class Action Settlement Agreement:** A copy of the *Class Action Settlement Agreement* is included on the enclosed CD.
5. **28 U.S.C. § 1715(b)(5) – Any Settlement or Other Agreement:** As of November 2, 2018, no other settlement or agreement has been entered into by the parties to this Action, either directly or by and through their respective counsels.
6. **28 U.S.C. § 1715(b)(6) – Final Judgment:** No Final Judgment has been reached as of November 2, 2018, nor have any Notices of Dismissal been granted at this time. A copy of the *[Proposed] Final Approval Order* is included on the enclosed CD.
7. **28 U.S.C. § 1715(b)(7)(A)-(B) – Names of Class Members/Estimate of Class Members:** While KCC in connection with Alarm.com is in the process of gathering information on this issue, pursuant to 28 U.S.C. § 1715(b)(7)(A), at this time a complete list of names of class members as



«First» «Last»

November 2, 2018

Page 3

well as each State of residence is not available, because the parties do not presently know the names or current addresses of all the proposed settlement class members and will not learn this information until the Settlement is preliminarily approved and the Court authorizes dissemination of information about the Settlement through the Class Notice. Pursuant to 28 U.S.C. § 1715(b)(7)(B), it is estimated that there are approximately 1,215,988 individuals in the class. Attached hereto as Appendix A is an approximate percentage breakdown of class members by state of residence. These percentages are preliminary and are likely to change over the course of the administration of this settlement.

8. **28 U.S.C. § 1715(b)(8) – Judicial Opinions Related to the Settlement:** As the proposed Settlement is still pending final approval by the Court, there are no other opinions available at this time. As of November 2, 2018, there has been no written judicial opinion related to the settlement.

If for any reason you believe the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact KCC immediately at either [jchernila@kccllc.com](mailto:jchernila@kccllc.com) or (415) 798-5969 so that Alarm.com can address any concerns or questions you may have.

Thank you.

Sincerely,

/s/  
Daniel Burke  
Executive Vice President

Enclosure – CD Rom

*Abante Rooter and Plumbing, Inc. et al., v. Alarm.com Incorporated, et al.*

USDC, Northern District of California, Oakland Division

4:15-cv-06314-YGR

**APPENDIX A**

STATE/REGION	APPROX. COUNT	APPROX. PCTG.
UNKNOWN	9,083	1%
AA	1	<1%
AE	29	<1%
AK	76	<1%
AL	8,167	1%
AP	9	<1%
AR	2,199	<1%
AZ	2,588	<1%
CA	21,001	2%
CO	43,297	4%
CT	76,875	6%
DC	533	<1%
DE	1,450	<1%
FL	31,219	3%
GA	97,343	8%
GU	5	<1%
HI	114	<1%
IA	407	<1%
ID	460	<1%
IL	6,919	1%
IN	2,945	<1%
KS	1,274	<1%
KY	52,858	4%
LA	586	<1%
MA	94,123	8%
MD	4,202	<1%
ME	243	<1%
MI	4,392	<1%
MN	562	<1%
MO	55,598	5%
MS	3,513	<1%
MT	118	<1%
NC	19,257	2%
ND	52	<1%
NE	163	<1%
NH	11,374	1%
NJ	7,623	1%

*Abante Rooter and Plumbing, Inc. et al., v. Alarm.com Incorporated, et al.*

USDC, Northern District of California, Oakland Division

4:15-cv-06314-YGR

**APPENDIX A**

STATE/REGION	APPROX. COUNT	APPROX. PCTG.
NM	1,070	<1%
NV	2,402	<1%
NY	99,909	8%
OH	162,638	13%
OK	3,740	<1%
OR	263	<1%
PA	157,044	13%
PR	273	<1%
RI	24,024	2%
SC	7,039	1%
SD	85	<1%
TN	6,627	1%
TX	155,254	13%
UT	551	<1%
VA	3,836	<1%
VI	12	<1%
VT	283	<1%
WA	717	<1%
WI	2,470	<1%
WV	27,033	2%
WY	60	<1%

## **Exhibit H**

Last	First	Company	Address 1	Address 2	City	State	Zip
Sessions	Jefferson	Attorney General of the United States	United States Department of Justice	950 Pennsylvania Avenue, NW Suite 200	Washington	DC	20530-0001
Lindemuth	Jahna	Office of the Alaska Attorney General	1031 W. 4th Avenue		Anchorage	AK	99501-1994
Marshall	Steve	Office of the Alabama Attorney General	501 Washington Avenue	PO Box 300152	Montgomery	AL	36130-0152
Rutledge	Leslie	Arkansas Attorney General Office	323 Center Street, Suite 200		Little Rock	AR	72201-2610
Brnovich	Mark	Office of the Arizona Attorney General	1275 W. Washington Street		Phoenix	AZ	85007
CAFA Coordinator		Office of the Attorney General	Consumer Law Section	455 Golden Gate Ave., Suite 11000	San Francisco	CA	94102
Coffman	Cynthia	Office of the Colorado Attorney General	Ralph L. Carr Colorado Judicial Center	1300 Broadway, 10th Floor	Denver	CO	80203
Jepsen	George	State of Connecticut Attorney General's Office	55 Elm Street		Hartford	CT	06106
Racine	Karl A.	District of Columbia Attorney General	441 4th Street, NW, Suite 1100S		Washington	DC	20001
Denn	Matthew	Delaware Attorney General	Carvel State Office Building	820 N. French Street	Wilmington	DE	19801
Bondi	Pam	Office of the Attorney General of Florida	The Capitol, PL-01		Tallahassee	FL	32399-1050
Carr	Chris	Office of the Georgia Attorney General	40 Capitol Square, SW		Atlanta	GA	30334-1300
Suzuki	Russell	Office of the Hawaii Attorney General	425 Queen Street		Honolulu	HI	96813
Miller	Tom	Iowa Attorney General	Hoover State Office Building	1305 E. Walnut Street	Des Moines	IA	50319
Wasden	Lawrence	State of Idaho Attorney General's Office	700 W. Jefferson Street, Suite 210	P.O. Box 83720	Boise	ID	83720-0010
Madigan	Lisa	Illinois Attorney General	James R. Thompson Center	100 W. Randolph Street	Chicago	IL	60601
Hill, Jr.	Curtis T.	Indiana Attorney General's Office	Indiana Government Center South	302 West Washington Street, 5th Floor	Indianapolis	IN	46204
Schmidt	Derek	Kansas Attorney General	120 S.W. 10th Ave., 2nd Floor		Topeka	KS	66612-1597
Beshear	Andy	Office of the Kentucky Attorney General	700 Capitol Ave	Capitol Building, Suite 118	Frankfort	KY	40601
Landry	Jeff	Office of the Louisiana Attorney General	P.O. Box 94095		Baton Rouge	LA	70804-4095
Healey	Maura	Office of the Attorney General of Massachusetts	1 Ashburton Place		Boston	MA	02108-1518
Frosh	Brian	Office of the Maryland Attorney General	200 St. Paul Place		Baltimore	MD	21202-2202
Mills	Janet	Office of the Maine Attorney General	State House Station 6		Augusta	ME	04333
Schuette	Bill	Office of the Michigan Attorney General	P.O. Box 30212	525 W. Ottawa Street	Lansing	MI	48909-0212
Lori Swanson	Attorney General	Attention: CAFA Coordinator	Suite 102, State Capitol 75 Dr.	Martin Luther King, Jr. Blvd.	St. Paul	MN	55155
Hawley	Joshua D.	Missouri Attorney General's Office	Supreme Court Building	207 W. High Street	Jefferson City	MO	65101
Hood	Jim	Mississippi Attorney General's Office	Department of Justice	P.O. Box 220	Jackson	MS	39205
Fox	Tim	Office of the Montana Attorney General	Justice Bldg.	215 N. Sanders Street	Helena	MT	59620-1401
Stein	Josh	Office of the North Carolina Attorney General	Department of Justice	P.O. Box 629	Raleigh	NC	27602-0629
Stenehjem	Wayne	North Dakota Office of the Attorney General	State Capitol	600 E. Boulevard Avenue	Bismarck	ND	58505-0040
Peterson	Doug	Office of the Nebraska Attorney General	State Capitol	P.O. Box 98920	Lincoln	NE	68509-8920
MacDonald	Gordon	New Hampshire Attorney General	33 Capitol Street		Concord	NH	03301-6397
Grewal	Gurbir S.	Office of the New Jersey Attorney General	Richard J. Hughes Justice Complex	25 Market Street, P.O. Box 080	Trenton	NJ	08625
Balderas	Hector	Office of the New Mexico Attorney General	P.O. Drawer 1508		Santa Fe	NM	87504-1508
Laxalt	Adam Paul	Nevada Attorney General	Old Supreme Ct. Bldg.	100 North Carson Street	Carson City	NV	89701
Underwood	Barbara D.	Office of the New York Attorney General	Dept. of Law - The Capitol	2nd Floor	Albany	NY	12224
DeWine	Mike	Ohio Attorney General	State Office Tower	30 E. Broad Street	Columbus	OH	43266-0410
Hunter	Mike	Oklahoma Office of the Attorney General	313 NE 21st Street		Oklahoma City	OK	73105
Rosenblum	Ellen F.	Office of the Oregon Attorney General	Justice Building	1162 Court Street, NE	Salem	OR	97301
Shapiro	Josh	Pennsylvania Office of the Attorney General	16th Floor, Strawberry Square		Harrisburg	PA	17120
Kilmartin	Peter	Rhode Island Office of the Attorney General	150 South Main Street		Providence	RI	02903
Wilson	Alan	South Carolina Attorney General	Rembert C. Dennis Office Bldg.	P.O. Box 11549	Columbia	SC	29211-1549
Jackley	Marty J.	South Dakota Office of the Attorney General	1302 East Highway 14, Suite 1		Pierre	SD	57501-8501
Slater, III	Herbert H.	Tennessee Attorney General and Reporter	425 5th Avenue North		Nashville	TN	37243
Paxton	Ken	Texas Attorney General	Capitol Station	P.O. Box 12548	Austin	TX	78711-2548
Reyes	Sean	Utah Office of the Attorney General	State Capitol, Room 236	350 N State St	Salt Lake City	UT	84114-0810
Herring	Mark	Office of the Virginia Attorney General	202 North Ninth Street		Richmond	VA	23219
Donovan	TJ	Office of the Attorney General of Vermont	109 State Street		Montpelier	VT	05609-1000
Ferguson	Bob	Washington State Office of the Attorney General	1125 Washington St SE	P.O. Box 40100	Olympia	WA	98504-0100
Schimel	Brad	Office of the Wisconsin Attorney General	Dept. of Justice, State Capitol	RM 114 East P.O. Box 7857	Madison	WI	53707-7857
Morrisey	Patrick	West Virginia Attorney General	State Capitol	1900 Kanawha Blvd E	Charleston	WV	25305
Michael	Peter K.	Office of the Wyoming Attorney General	State Capitol Bldg.		Cheyenne	WY	82002
Ale	Tatauega Eleasalo V.	American Samoa Attorney General	Exec. Ofc. Bldg, Utulei	Territory of American Samoa	Pago Pago	AS	96799
Barrett-Anderson	Elizabeth	Office of the Attorney General, ITC Building	590 S. Marine Corps Drive	Suite 706	Tamuning	Guam	96913
Manibusan	Edward	Northern Mariana Islands Attorney General	Administration Building	PO Box 10007	Saipan	MP	96950-8907
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